RESISTANCE

NO

REBELLION.

IN WHICH

The RIGHT of a Britiſh Parliament to TAX the American Colonies, is fully conſidered, and found UNCONSTITUTIONAL:

The RIGHT of a Free People to RESIST in DEFENCE of their Laws and Conſtitution, ASSERTED and VINDICATED:

AND

The infamous Fallacies in John Weſley's Addreſs to the American Colonies, expoſed and cenſured.

Nolumus leges Angliæ mutari.

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RESISTANCE

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REBELLION.

To the Reverend Mr. WESLEY.

SIR,

YOUR Calm Addreſs to the American Colonies, I have peruſed, and acknowledge you make a tolerable appearance in *borrowed plumage*. But, Sir, you have proved yourſelf an advocate, rather more willing, than able, to defend the meaſures of the Miniſtry. Dr. Johnſon, and other penſioned writers, have endeavoured to vindicate the proceedings of the Miniſtry againſt our American fellow-ſubjects, by ſpecious and plauſible arguments *of their own framing*; but you, Mr. Weſley, though a Reverend Divine of much learning, and extraordinary pretended ſenſibility, have attempted to defend their conduct by the reaſonings of

other

other writers, and have had the modeſt aſſurance to *filch* their arguments and paſs them off for *your own* in your Calm Addreſs to the Colonies. But, Sir, as your Addreſs, thus cooked up, hath been highly applauded by the Miniſtry, and many thouſands of them circulated through the nation by their direction, it ſhall be my buſineſs to ſhew the fallacy of it, and to prove that every argument you have made uſe of therein, was pirated, almoſt verbatim, from Johnſon's Pamphlet, called, *Taxation no Tyranny*. But, believe me, Mr. Weſley, I do not take this ſtep, with a view of expoſing you, but of ſhewing to what extremity the Miniſtry are driven, and what little mean artifices they make uſe of, to deceive and perſuade the public to approve of their bloody meaſures againſt our American Colonies. Johnſon, it is well known, wrote his Pamphlet of Taxation no Tyranny, by order of the Miniſtry; and is there not the ſtrongeſt reaſon imaginable to believe, that you have now meanly ſtooped to haſh up his arguments in your Addreſs, by their direction alſo, from the great pains they have taken to circulate it through the kingdom?—You begin your Addreſs to the American Colonies, by aſking this queſtion, "Has the Engliſh Parliament power to tax the American Colonies?" And in order to determine this point, you define the nature of our Colonies, by ſaying, "an Engliſh Colony is a number of perſons, to whom the King grants a Charter, permitting them to ſettle in ſome far country, as a Corporation, enjoying ſuch powers as the Charter grants, to be adminiſtered in ſuch manner as the Charter preſcribes.

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" As a Corporation they make laws for themſelves: but as a Corporation ſubſiſting by a grant from higher authority, to the controul of that authority they ſtill continue ſubject." Now let us ſee what Johnſon's pamphlet ſays on this point: " an Engliſh Colony, ſays he, is a number of perſons, to whom the King grants a Charter, permitting them to ſettle in ſome diſtant country, and enabling them to conſtitute a Corporation: as a Corporation they make laws for themſelves; but as a Corporation ſubſiſting by a grant from higher authority, to the controul of that authority they continue ſubject." This part, Sir, you have copied verbatim from Johnſon's pamphlet. What you have copied, Sir, you certainly think ſound reaſoning; but it is very far from being ſo; it makes a diſtinction without a difference; for if a Colony make laws for themſelves, as a Corporation, it muſt be by virtue of that authority, which you ſay, hath a right to controul and make laws for them, which is a manifeſt contradiction; for what can be more abſurd than to ſay, that as a Corporation, they make laws for themſelves, and as a Corporation, they do not make laws for themſelves, but that ſomebody elſe has a right to make laws for them; for the word, Corporation, hath the ſame meaning in both parts of the ſentence, and conſequently, that ſuperior authority, which enabled them by Charter to make laws for themſelves, could not, at the ſame time, diſable them from making laws for themſelves: but indeed the authority of the Crown, from whence they received their Charters, has not the power of legi-

ſlation, and therefore can have no controul upon the Colonies as legiſlative bodies.

The next part, which you have pirated, Sir, from Johnſon's pamphlet, is, in order to prove, that the ſupreme power in England hath a right of impoſing taxes upon the American Colonies: You tell them, "that if the Parliament cannot tax them, becauſe they have no repreſentatives therein; for the ſame reaſon, it can make no laws to bind them. For if a freeman cannot be taxed without his own conſent, neither can he be puniſhed without it: for whatever holds with regard to taxation, holds with regard to all other laws. Therefore he, who denies the Engliſh Parliament the power of taxation, denies it the right of making any laws at all." And Johnſon's pamphlet ſays, "he that denies the Engliſh Parliament the right of taxation, denies it likewiſe the right of making any other laws, civil or criminal." This argument, or rather this falſe aſſertion, is ſo frivolous, it ſcarcely deſerves an anſwer. The Engliſh Parliament is not denied the right of taxation, according to the conſtitution of England, and within the limits of its juriſdiction, which was never extended to the Colonies before the preſent deſpotic times. This right of Parliament was neceſſarily precluded by the exerciſe of the Royal authority in the grant of Charters; which were wiſely framed on purpoſe to exempt them from the general form of Government in England, which could not be rendered practicable or compatible with their circumſtances or ſituation: they cannot ſerve two maſters. If they are ſubject to the authority of the Crown, they are not under

der the power of Parliament, and therefore have no occaſion for foreign ſtatutes, either civil or criminal, when their own internal government, can much better anſwer the purpoſes of legiſlation. But if they are at all ſubject to the Mother Country, in matters of internal government, they are all ſubject alike, as their relation is the ſame; yet their different Charters and modes of Government contradict this, and clearly prove, that nothing was intended to be ſuperior to their reſpective legiſlatures, but the prerogative of the Crown, and that only, as far as it can be lawfully exerciſed; and the Crown hath no power of taxation. Having therefore choſen our mode of governing our American Colonies by Charters, we have no right to ſuperſede their long eſtabliſhed Governments, by bringing them under the Engliſh legiſlature. But you, Mr. Weſley ſay, "the Colonies have never diſputed this power; that they have always admitted ſtatutes for the puniſhment of offences, aud for the preventing or redreſſing of inconveniences; and that the reception of any law, draws after it, by a chain which cannot be broken, the neceſſity of admitting taxation." And Johnſon's pamphlet ſays, "that they have always admitted ſtatutes of ſome kinds; and that the reception of any law draws after it by a chain, which cannot be broken, the unwelcome neceſſity of ſubmitting to taxation." Are you not aſhamed, Sir, of ſuch plagiariſm? But in anſwer to you, and your author Johnſon, we aſſert, that the Americans do not refuſe being taxed, in the ſame manner as Engliſhmen are; who being that conſtituent branch of the legiſlative power,

which

which preſides over property, and paſſes all grants to the Crown, do literally and truly tax themſelves: and all that the Colonies contend for, is to enjoy the great privilege of Engliſhmen, to tax themſelves, and give their own money, like freemen, and not to have it taken from them without their conſent, like ſlaves.

A tax, according to the Engliſh conſtitution, is a voluntary gift of the people to the crown; and this great right of not being ſubject to have their money taken from them without their conſents, conſtitutes the freedom of Engliſhmen: and if ever this right of giving their own money voluntarily, ſhould be taken from our American fellow ſubjects, they would be no longer freemen. But, Sir, you, and your author, Dr. Johnſon, in order to evade the important diſtinction betwixt voluntary and compulſive taxation, betwixt giving our money, and being robbed of it, take much pains to leſſen and ridicule the popular part of our Government, and the rights of the ſubject. You ſay, "it is abſolutely falſe, that every freeman is governed by laws, to which he has conſented; for that in wide-extended dominions, a very ſmall part of the people are concerned in making laws. This, as all public buſineſs, muſt be done by delegation, and the delegates are choſen by a ſelect number: and thoſe, that are not electors, who are far the greateſt part, ſtand by, idle and helpleſs ſpectators." And Johnſon ſays, "it is a poſition of mighty ſound *only*, that a free man is governed by himſelf, or by laws to which he has conſented. The buſineſs of the public muſt be done by delegation; and thoſe who are not electors, ſtand idle

idle and helpleſs ſpectators of the common-weal, wholly unconcerned with the Government of themſelves." But what Johnſon and you ſo confidently aſſert, is not true: ſince the whole community have not only an influence upon, but are repreſented by the elective body, as much as the electors are repreſented by the perſons they chuſe. It is a groſs miſtake to ſay, that no people are repreſented in Parliament, but thoſe, who have by law, the right of electing members thereto; for the Knights of the Shire do certainly repreſent not only thoſe, who poſſeſſed the right of chuſing them, but all others living in their reſpective counties. But to ſet this matter in a clear light, let us conſider the repreſentation of the City of London. The liverymen of London are, by law, the only electors of members to Parliament for the City; but will any man ſay, that none but the liverymen are therefore repreſented in Parliament? Would it not be extreme folly to imagine, that our great merchants, traders, and all other Citizens of London, are not repreſented in Parliament, by the members for the City, becauſe they were elected only by the liverymen? Nothing can be more clear and certain, than that all the people of Great Britain, excepting the Peers of the realm, are repreſented in an Houſe of Commons.

It is very obſervable, that it hath been the practice of perſons in power, for ſome years paſt, to treat the common or trading part of the people with ſcorn and indignity, to call them the ſcum of the earth, to deſpiſe their ſentiments of government, to take every method of impoveriſhing and oppreſſing them, to

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contemn their remonſtrances, and to ſhew a deſire of ſubverting all popular rights. Towards accompliſhing their wicked and arbitrary deſigns, they have employed numbers of mercenary writers to diffuſe and inculcate the old Tory principles of paſſive obedience and non-reſiſtance; among whom, you Mr. Weſley, and Dr. Johnſon, whoſe words you echo, muſt certainly be reckoned. For you, Sir, tell the American Colonies in your Addreſs to them, "that the conſent of the people to laws, even thoſe, now made in England, is purely *paſſive*; and in every place, as all men are born the ſubjects of ſome ſtate, or other, ſo they are born *paſſively*, as it were conſenting to the laws of that ſtate. Any other than this kind of conſent, the condition of civil life does not allow." And Johnſon's pamphlet ſays, "that in the moſt favourite reſidence of liberty, the conſent of individuals to inſtitutions of Government is merely *paſſive*. As all men are born the ſubjects of ſome ſtate or other, we may be ſaid to have been all conſenting to ſome ſyſtem of Government: other conſent than this, the condition of civil life does not allow: It is the unmeaning clamour of the pedants of policy, the delirious dream of republican fanaticiſm." —Such ſentiments as theſe, Sir, are a ſcandal and diſgrace to the name of an Engliſhman; they are falſe and infamous, ſlaviſh and traitorous, and would put the free people of this limited monarchy upon a level with the enſlaved ſubjects of the Grand Signior. Thoſe Miniſterial writers, who have the audacity to publiſh ſuch ſentiments, are certainly guilty of high treaſon againſt the Majeſty of the people of England,

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as they tend to convert their free conſtitution into a tyrannical government. What, Sir, have Engliſhmen no laws, no rights, no freedom to defend? Does not the great charter of England, which hath been ratified and confirmed more than forty times in full Parliament, expreſsly declare the laws, rights, and liberties of Engliſhmen? Does not the King, at his coronation, take a ſolemn oath to maintain them inviolate? Hath not the loweſt ſubject of this ſtate, when wronged in property or freedom by the higheſt, a power of appealing to the laws of this free country for redreſs, and will they not, if juſtly adminiſtered, redreſs him? Is not the King himſelf ſubject to the laws, and ſhould he ever wrong the meaneſt of his people, may he not be compelled by them to do him juſtice? And may not the moſt deſpotic Miniſter, who ſhall dare to ſuſpend, or evade the force of the laws, be made to feel the juſt reſentment of perſonal injury by the hand of perſonal vengeance? What was it that obliged a tyrant to acknowledge and recognize the ancient rights and liberties of Engliſhmen in the great charter of England? Was it *paſſive conſent* to his government, or *paſſive obedience* to his orders? And when Mr. *Wilkes* bravely ſtood forth the champion of the laws and freedom of his country, by oppoſing and denying the legality of *General Warrants*, and was ſucceſsful in the glorious ſtruggle, what became of that *paſſive* tameneſs and *implicit conſent*, which venal writers tell us, "*is all that the condition of civil life allows?*" And when the immortal *Hampden*, the *Wilkes* of a preceding age, had the brave reſolution, with the laws

on his ſide, to refuſe paying a ſmall, but arbitrary tax, impoſed upon the people by the prerogative of the Crown, did not the tyrant, in conſequence of Hampden's heroic fortitude, loſe in the iſſue, both his Crown and his head? And when that arbitrary Prince, James the Second had, by encouraging Popery, by ſuſpending the laws of the land, and other tyrannical proceedings, ſo totally offended his people, and loſt their affections, as to induce them to call over the Prince of Orange, and give him the Crown of theſe kingdoms; where was that *paſſive conſent and tame obedience to government*, which miniſterial writers have the aſſurance and folly to tell us, "*is all that the condition of civil life allows?*"—The arbitrary Princes of the Houſe of Stuart attempted, contrary to the laws, to impoſe taxes upon their people by virtue of their Royal prerogatives, and were defeated in their deſigns, and ſeverely puniſhed for their attempts: But have not ſome Princes, ſince their days, taken a ſafer, though more infamous, method of impoſing arbitrary taxes upon their ſubjects, by corrupting their Parliaments, and bribing them to frame laws of taxation, which clearly contradict and ſubvert the rights of the people, and the fundamental principles of the Engliſh conſtitution?—But, Sir, as you tell us from the high authority of Dr. Johnſon, Pamphlet-writer-general to the Miniſtry, "that as all men are born ſubjects to ſome State or other, ſo they are born, *paſſively* as it were, conſenting to the laws of that State, and to the ſyſtem of that government;" from hence it is plain, both you and Johnſon mean, that the people

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ſhould not only ſubmit to, but ſupport thoſe laws, and that ſyſtem of Government, they were born under. For once, we will agree to your Doctorine, and apply it to the preſent caſe of our American Colonies. Thoſe Colonies were born under thoſe laws, and that ſyſtem of Government, which the Crown of this kingdom had granted to their anceſtors by Royal Charters; and which they never complained of, but lived very contendedly under. Now, when an arbitrary Miniſtry would deprive them of thoſe laws, and that ſyſtem of Government they were born under, they, like good and brave ſubjects ſtand up in defence of them, and reſiſt their tyrannical and unconſtitutional attempts. Are not the Americans, therefore, by your own Doctrine, good and faithful ſubjects to that form of Government they were born under?—But again, Sir, you echo from Johnſon, "that the anceſtors of the Americans, if ſubjects, acknowledged a Sovereign; and if they had a right to Engliſh privileges, they were accountable to Engliſh laws, and had ceded to the King and Parliament, the power of diſpoſing, *without their conſent, of their lives, liberties, and properties.*" But we have before ſhewn, that the Colonies owe their political exiſtence to their Charters, and that the power of legiſlation, the adminiſtration of juſtice, and the ſecurity of property were all beſtowed upon them by the Royal grant; and that they neither derived their powers, as Colonies, nor their privileges as ſubjects from Parliament, and therefore cannot be truly ſaid to be guilty of diſobedience to it. If their *property* was *ſecured* to them by a conſtitutional act of the Crown, by what right can the

Parliament tax it, ſince that which is in the power of another, cannot be *ſecure?* But as your preceptor, Dr. Johnſon, allows in his pamphlet of Taxation no Tyranny, "that all perſonal immunities and ſecurities, by which the condition of the ſubject has been from time to time improved, have been extended to the Colonies," it is aſtoniſhing, Sir, how he, and you after him, could advance ſo falſe and infamous a Doctrine, "*that they, and conſequently, all Engliſhmen, have ceded to the King, and Parliament, the power of diſpoſing, without their conſent, of their lives, liberties, and properties.*" This is an aſſertion, Sir, the moſt unconſtitutional, and the moſt deſtitute of truth, that was ever vented by a Tory-writer. It is indeed nothing leſs than high treaſon againſt the Majeſty of the people of England. The power of King and Parliament, taken in its utmoſt extent, is but a power delegated to them by the people, to be always employed for their ſervice and benefit, never to their hurt and injury. Mr. Locke, in his Eſſay on Civil Government, ſays, "the legiſlative power is limited to the public good of the ſociety. It is a power, that hath no other end but preſervation, and therefore can never have a right to deſtroy, enſlave, or deſignedly to impoveriſh the ſubject; for the obligations of the law of nature ceaſe not in ſociety." And if ever, therefore, a King and Parliament were to pervert the power, delegated to them by the people for their own good and happineſs, and frame laws, deſtructive to their rights and liberties, and ſubverſive of their conſtitution, they would not only have an undoubted right to *reſiſt ſuch laws*, but to reaſſume the

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power, which had been ſo abuſed, again to themſelves: for the collective body of the people of Great Britain delegate, but do not give up; truſt, but do not alienate their right and their power. Was you, therefore, to put ſo extravagant a caſe, as to ſuppoſe, the two Houſes of Parliament concurring to make at once a formal ceſſion of their own rights and privileges, and of thoſe of the whole nation to the Crown, and aſk who hath the rights, and the means, to reſiſt the ſupreme legiſlative power? I would anſwer, the whole nation hath the *right*; and a people, who deſerve to enjoy liberty, will find the *means*. An attempt of this nature would break the bargain between the King and the nation, between the repreſentative and collective body of the people, and would diſſolve the conſtitution. From hence it follows, that the nation, which hath a right to preſerve their conſtitution, hath a right to *reſiſt* an attempt that leaves no other means of preſerving it, but *thoſe of reſiſtance*. Johnſon's pamphlet, from whence, Sir, you have pirated every paragraph in your Addreſs to the Colonies, was written, it is well known, by direction of the Miniſtry; and certainly, it is an omen very unfavourable to the rights and freedom of this nation, when principles ſo falſe, and of ſuch a tyrannical nature, as, that *the King and Parliament have power to diſpoſe of the lives, liberties, and properties of Engliſhmen without their conſent*, ſhall be written and publiſhed by order of the King's Miniſters. Is it not fully ſufficient to alarm the people, and to raiſe ſuſpicions in their minds, that there is, at this time, a deſign of converting the free conſtitution of this king-

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kingdom into an abſolute Government?—You proceed from the Doctor's pamphlet to obſerve, "that they, who form a Colony by a lawful Charter, do not certainly loſe any privilege thereby, as they are guilty of no crime; bur what they do not forfeit by any judicial ſentence, they may loſe by natural effects. He, who goes voluntarily to America, ought not to complain of loſing what he left in Europe. He can be but in one place at once, and cannot enjoy the benefits of a multiplied reſidence. He is ſtill concerned in the *Government of himſelf*, and is repreſented, according *to his choice*, in the general repreſentation." This ſilly and ludicrous kind of reaſoning may be fully retorted, and perhaps beſt anſwered by arguments of the ſame nature. If Government choſe to rule the Colonies by Charters, it cannot, at the ſame time, do it by Parliament. If it would encourage ſubjects to emigrate and eſtabliſh Colonies, to increaſe the trade and revenue of the Mother-Country, it cannot complain that they, who are buſy in cultivating the lands of America, do not pay the land-tax or window lights in England. If they are employed for the general good in importing our manufactures, and exporting ſuch commodities as both we and our Weſt-India Iſlands want, they can neither be cringing at St. Jeames's for a penſion, nor making intereſt at and bribing our Boroughs to return Court-Members to the Houſe of Commons. Government has therefore, in like manner, not nullified its right, by any formal ſurrender, but it hath loſt the power of taxation through phyſical neceſſity; by which, even a Tory-Miniſtry will allow, the omnipotence

potence of Parliament may be bound. By its own choice, and eſtabliſhed by a long ſucceſſion of Government, the ſupreme power hath given up taxation for other greater advantages, accruing from the commerce and growing population of America. It hath preferred a Charter to a Parliamentary authority. It has choſen, what was thought, and what certainly was, moſt beneficial to the ſtate and nation, the encreaſe of trade, dominion, and revenue; and it is neither juſtice, law, nor policy, that America, to ſerve the purpoſes of Government, ſhould be conſidered, at one and the ſame time, as being on both ſides of the Atlantic, under the authority of the Crown and Charter—Laws, on one ſide of the globe, and under the ſupreme power of Parliament on the other. For otherwiſe, I ſee no reaſon why the Weſt-India Iſlands, with our vaſt territory in the Eaſt Indies, ſhould not be equally liable to taxation, from which they are exempt, partly becauſe out of the realm and juriſdiction of our Parliaments, but principally, becauſe they are taxed in other forms of cuſtoms, &c. and have been ever thought to do their duty to the ſtate as good ſubjects, by other modes of contribution, although not taxed, nor taxable by Parliament. For as a man cannot enjoy the benefits and ſatisfactions of two remote ſituations at the ſame time, ſo he ought not to be ſubject to the diſadvantages and inconveniences of them. It would be very hard for any one to be puniſhable for not paying the poor's rate in St. James's pariſh, who was never out of the province of New England, or for not contributing towards the penſion of Dr. Johnſon, or rewarding

warding Mr. Weſley, for their labours in endeavouring by their writings to rob him of all his rights and liberties. You aſſert, Sir, from Johnſon's authority, "that the Americans have not, by abandoning their right in one legiſlature, acquired a right to conſtitute another; any more, than the multitudes in England, who have no vote, have a right to erect a Parliament for themſelves." If the American Colonies have no right to conſtitute another legiſlature, why have they been permitted from the very beginning of their exiſtence, to form a legiſlative body, ſimilar to that of their Mother Country; and why hath the ſupreme power of England ſuffered them for more than an hundred and fifty years, and to the reign of his preſent Majeſty, to exerciſe this legiſlative power of their own, to frame laws for themſelves, and to give and grant money for the ſervice of their Government with their own conſents? But, Sir, you have admitted, that the people who croſſed the Atlantic and ſettled in America, did not thereby forfeit any of the rights and privileges of Engliſhmen, but that they rendered the exerciſe of ſome of them, *no longer poſſible*. And certainly it is a clear truth, it is *no longer poſſible*, that the Americans ſhould vote for members of the Britiſh Parliament; conſequently, *no longer poſſible* they ſhould be *repreſented* in a Britiſh Parliament; and therefore *no longer poſſible*, that a Britiſh Parliament ſhould have the power of diſpoſing of their property, without, and contrary to their conſents, without rendering them abſolute ſlaves.

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It is to be hoped, the Britiſh Parliament will be more juſt, than to atempt to enſlave our fellow-ſubjects in America; for certainly, they did not leave their native country, and encounter every danger and diſtreſs, to be reduced to a ſtate of ſlavery. No; they expected *protection*, not *chains* from their Mother Country. Mr. Pitt, when a Commoner, fully expreſſed his ſentiments in the Houſe of Commons, on the power of a Britiſh Parliament to tax the American Colonies, in the following words: "The Commons of America, Sir, repreſented in their ſeveral Aſſemblies, have ever been in poſſeſſion of the exerciſe of this their conſtitutional right, *of giving and granting their own* MONEY. *They would have been* SLAVES, *if they had not enjoyed it.* For ſays he, the idea of a *virtual repreſentation of America in this Houſe*, is the moſt contemptible idea that ever entered into the head of a man; it does not deſerve a ſerious refutation." And that able Lawyer, and truly great man, Lord Camden, in his ſpeech on that ſubject in the Houſe of Peers, ſays, "that taxation and repreſentation are inſeparably united. God hath joined them: no Britiſh Parliament can ſeparate them: to endeavour to do it, is to ſtab our vitals.—My poſition is this—I repeat it—I will maintain it to my laſt hour—*taxation and repreſentation* are inſeparable.—This poſition is founded on the laws of nature; it is more, it is itſelf an eternal law of nature; for whatever is a man's own is abſolutely his own; no man hath a right to take it from him without his conſent, either expreſſed by himſelf or repreſentative; whoever *attempts* to do it, attempts an *injury*; whoever does it, *commits a robbery*;

he throws down the diſtinction between liberty and ſlavery. *Taxation and repreſentation* are coeval with, and eſſential to this conſtitution." And that great and immortal reaſoner, Mr. Locke, ſays, "what property have we in that, which another may, by right, take, when he pleaſes to himſelf?" Indeed, he muſt be a perfect ſtranger to the nature of the Engliſh conſtitution, who does not know, that the right of granting our own money, and its not being to be diſpoſed of without our conſent, is the principal foundation of our freedom, and the baſis of Britiſh liberty.—But you tell the Americans, Sir, from the authority of Johnſon's pamphlet, "that they have no right to conſtitute a Parliament of their own." But, Sir, the Americans do not want to conſtitute a Parliament, becauſe it is ready made for them by their charters.—You allow, Sir, that the colonies have a right to all the privileges, granted them by royal charters, but deny, in the words of Johnſon, "they have any right to thoſe privileges, which they have given themſelves by provincial laws," becauſe, you ſay, "a province cannot confer provincial privileges on itſelf."—But Johnſon forgot, or did not chuſe to remember, that the King is preſent, by his deputies, the Governors, in their aſſemblies, and that no acts can paſs in favour of the colonies, or any new privileges be conferred, without his concurrence; which is an effectual ſecurity to his own prerogative, as well as the honour and intereſt of the nation, and is realizing, as far as poſſible, the actual exiſtence of a Britiſh Parliament in America, by the conſtant reſidence of the repreſentative of

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it's chief eſtate, the Crown, with the ſame negative controul upon the legiſlatures of the provinces; ſo that every new grant, or privilege, derived to them by their own laws, has, in fact, the ſame royal ſanction and authority, that gave them their charters; but if charter-powers, to enact laws, can confer no privileges on theſe corporate bodies, for what purpoſe were they given and granted? Certainly, they cannot be ſaid to have given themſelves, what the King hath granted by his repreſentatives, the Governors —But with a view of degrading and debaſing the authority of the Aſſemblies, or Parliaments, in America, Johnſon and you compare the legiſlature of a colony to the veſtry of a pariſh: But this is ſuch a very poor, pariſh conceit, as any Conſtable would be aſhamed of, and which deſerves the correction of the Beadle. It is a compariſon, Sir, not only diſgraceful to the American Aſſemblies, but ſcandalous to the King himſelf, whoſe repreſentative is the head of and preſides over them. And it is as void of all ſimilitude, as it is of all decency; for a veſtry is not a government, and hath no powers, but from the laws exiſting; and its ceſs upon the inhabitants may be appealed from, and litigated in the courts of law; whereas the aſſembly of a province, with the King's repreſentative at its head, hath all the forms and efficient powers of a Parliament, and is a government in the laſt reſort, both on the behalf of the Crown and the province; and from whence no appeal from taxation, or any other lawful act, can be made to a higher authority.—But you from Johnſon ſay, "that the charter of Penſylvania has a clauſe,

admitting, in expreſs terms, taxation by Parliament; and that if ſuch a clauſe be not inſerted in other charters, it muſt be omitted as not neceſſary, becauſe it is manifeſtly implied in the very nature of ſubordinate governments: all countries, which are ſubject to laws, being liable to taxes." This is a wretched argument indeed! little better than giving up the point: for if it was implied in all the charters, as ſo ſelf-evident a principle, why was it expreſſed in any one? If it be urged as a claim or foundation for the right of taxation, it can only operate as ſuch where it is expreſſed. But it is an inſult upon government to ſuppoſe, that a right of ſuch a magnitude could be left, in deeds ſo ſolemn as theſe charters, to implication only; or that ſuch right ſhould continue unaſſerted, from age to age, till the preſent time. It is a clear demonſtration, that no ſuch right was even dreamt of, when the charters were granted; and that it was the wiſe and equitable intention of government, that they, who were ſubject to the *colony-laws*, ſhould be ſubject only to *colony-taxation*; and from this unalterable principle of the Engliſh conſtitution, that they could no where elſe be taxed, as *Engliſhmen*, *but by their own conſent.* Nor was this an immunity granted, as is falſely inſinuated, but an *inherent right*, which, as Engliſh ſubjects, they could not be deprived of; a *right*, *which no legiſlature hath the power of annulling.* But the rights of the ſubject, which were deemed ſacred under a government, ruling on the *principles of the Revolution*, will always be looked upon with a jealous and an evil eye by a *Tory adminiſtration*, ever inimical to all

all the rights of the people. A miniſtry, compoſed of Tories, muſt, by the principles they profeſs, be enemies on courſe to the rights and liberties of Engliſhmen, and to the free conſtitution of this kingdom; and if you ſearch the annals of England, you will find they always have been ſo. The ſlaviſh and abſurd principles of Toryiſm, ſuch as the divine hereditary right of kings, the ſacredneſs of their perſons, the unlimited power of their royal prerogatives, and the paſſive obedience and non-reſiſtance of the ſubject, were firſt broached in this kingdom under the reign of that pedantic Prince, James the Firſt; and we are to thank *that Scotchman* for all the innumerable evils and oppreſſions, for all the troubles, commotions, and bloodſhed, that have happened in this nation, ſince his days, in conſequence of the impious and tyrannical principles he firſt vented. On the death of James, his ſon, Charles the Firſt, ſucceeded to the throne. He had a miniſtry, who were true and perfect Tories by principle, and in them placed the utmoſt confidence: And by the advice of this Tory-miniſtry, he attempted to ſet aſide the ancient laws of the land, and to convert the free conſtitution of this kingdom into a tyrannical government. They perſuaded him that his royal prerogative was above law, and that his proclamation ought to paſs for a law: And conſequently he took upon himſelf to impoſe a tax upon his ſubjects, called *Ship-Money*, by the authority of his royal prerogative only; and by the counſel of his Tory-miniſtry, took ſo many other deſpotic meaſures, totally contrary to the laws of the land, and wholly

wholly inconſiſtent with the rights and freedom of the ſubject, as to force the people to have recourſe to *that reſiſtance, which they had an unqueſtionable right to make uſe of, whenever it became abſolutely neceſſary for the defence and preſervation of their conſtitution.*

This tyranny, and the people's reſiſtance, occaſioned a long and bloody civil war in the nation; when, after a conteſt of many years, *right* at laſt prevailed; and the head of that unhappy, miſled Prince was brought to the block. James the Second had alſo the misfortune to have a Tory-Miniſtry, who adviſed him to lift his royal prerogative above the laws, to ſuſpend the execution of them, to encourage Popery, to impriſon the Proteſtant Biſhops, and to do ſo many other deſpotic acts, as at laſt rouſed up the reſentment of the nation, and obliged the people to make uſe of their *right of reſiſtance*, in defence of their laws, liberties, and religion; when they called over the Prince of Orange, and gave him the crown of theſe kingdoms. —The next *Tory miniſtry*, which this nation was curſed with, was at the latter end of the reign of Queen Ann; when they had formed a conſpiracy to deprive the Houſe of Hanover of the ſucceſſion to the throne, and to place the Crown upon the head of a Popiſh Pretender; but their plot being found out, was timely prevented by the Duke of Marlborough, aſſiſted by other noblemen, and all the Whigs of the kingdom.—The next Tory-miniſtry, which Engliſhmen have had the misfortune of groaning under, is the preſent; but though they have involved this nation in a bloody and unnatural war with their own colonies,

colonies, we ſhall mention no more about them; becauſe it is impoſſible to ſay, what may be the conſequences of this unnatural contention, what hardſhips and diſtreſſes it may bring upon the people of England, what commotions ſuch miſeries may produce, what dreadful cataſtrophes they may cauſe, or what may, at laſt, be the fate of the King and kingdom: but it cannot be improper, eſpecially at this perilous juncture, to conſider a little, why the reigns of ſo many of our Kings have been inglorious, unfortunate, and even fatal to themſelves. From a cloſe peruſal of the annals of this kingdom it will appear, that the unhappy reigns of ſo many of our Kings were occaſioned by, and aroſe from one of theſe *two cauſes*: Either from the ill deſigns and attempts of the *Prince himſelf* againſt the liberties of the people, or from ſuffering ſome other perſon or perſons to engroſs his authority, and tyrannize over them in his name. There may, indeed, we allow, be now and then an unhappy Prince, who falls a ſacrifice to the phrenzy, or unreaſonable jealouſies of his ſubjects; but generally ſpeaking, they are victims to their own *bad conduct*, or *blind confidence in their ſervants*. The laſt of the two is of much the worſt conſequence, both to the people and Prince. It is ſo to the people, becauſe oppreſſion from a fellow-ſubject is always more grievous and heart-burning, than from one veſted with royal power. And it is ſo to the Prince, becauſe nothing can be more ignominious, than for a great king to become the *tool of his own ſervant*; for does he not then, in a manner, *change ſtations with him?* Such mean ſtoopings are not only

only diſhonorable, but dangerous; for they naturally create *contempt*, as well as *hatred* in the minds of the people; which is the moſt terrible circumſtance, a Prince can poſſibly fall under. This ſervile diſpoſition of the Prince being the moſt pernicious, as well as the moſt common evil of the two, it cannot be improper to expatiate a little upon the fatal tendency of it. It will be generally admitted, that the hearts of the people are the ſtrongeſt guard of the Prince; but how can a Prince expect to reign in the hearts of his people, who ſuffers a favourite ſervant to act the part of the King? What pretenſions can a Prince, in ſuch circumſtances, have to the affections of his ſubjects; which can never be retained without knowing their ſenſe of things, and redreſſing their grievances. But is it to be ſuppoſed, that *his Governor*, who is himſelf the people's greateſt grievance, will ever let him into the ſecret, or put him in a way to redreſs it? Another thing, abſolutely neceſſary to make a prince beloved and eſteemed by his people, is a ſacred regard to veracity, and an inviolable obſervation of his Royal word; which ought never to be falſified or proſtituted upon any occaſion: but how is it poſſible for a Prince, in the ſtate of vaſſalage deſcribed, to keep his honour untainted in this particular? Being induſtriouſly kept in ignorance, by his *regent favourite*, and obliged to utter whatever is put into his mouth, he is always liable to be impoſed upon, and ſometimes made to declare things utterly unworthy of a King, under a firm perſuaſion of their being ſtrictly true; or, at leaſt, without knowing any thing to the contrary. This is the caſe

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in moſt countries, where the Prince hath the misfortune to fall into the hands of a favourite, who directs him, as he pleaſes, and whoſe ſafety conſiſts in concealing the true ſtate of the nation from his knowledge. When a *favourite* hath reduced his Royal Maſter to this wretched condition, he will take every poſſible method of hiding it from him, and will endeavour to perſuade him, that he is popular, and that the meaſures of his Government are highly approved of by his ſubjects, at the very time they are ſo grievous and oppreſſive to them, that they are ready to riſe up in reſiſtance againſt them. For this end and purpoſe, he will ſometimes hire a ragged mob to huzza him when he goes abroad, to imitate the voluntary acclamations of a joyful multitude. For this end, he will alſo, by the diſtribution of places, penſions, and the public money, procure Addreſſes from both Houſes, applauding the wiſe meaſures of his Government, and their moſt zealous and fervent thanks for the ſame. And for this purpoſe, he will alſo obtain, by the aforeſaid means, as well as by every other artifice and deception, Addreſſes from the people without doors, expreſſing their higheſt approbation of the public meaſures, with offers of ſupporting them with their lives and fortunes. And when through his infamous conduct, he hath plunged the kingdom into the worſt of all evils, and is ſo conſcious of his guilt, as to be fearful of being detected by his Prince, he will ſometimes form a *plot* to further his purpoſes, and perſuade his Royal Maſter, that there is a conſpiracy againſt his life; and though his plot ſhould be ſo highly improbable and ridiculous,

as not only to be diſcredited but laughed at by the whole nation, he will, from his long influence over the mind of his Sovereign, and keeping him under a ſtate of credulous ſubmiſſion to his direction, prevail upon him to believe it.—By theſe and other ſuch deceitful practices, the *favourite* will delude his Prince, make him ſuppoſe the meaſures of his Government are approved of by his people, and that his kingdom is in a perfect calm, till a Thunder-ſtorm burſts out at once, and involves both King and people in the moſt ruinous and fatal calamities, that can poſſibly happen.

Having thus made a long digreſſion from your Addreſs to the Colonies, we ſhall now, Sir, return to it, and examine the remainder of your arguments. You ſay, "that the firſt ſettlers in Maſſachuſet-Bay were promiſed an exemption from taxes for ſeven years; and then immediately aſk, does not this very exemption imply, that they were to pay them afterwards?" No, Sir, it implies no ſuch thing, nor hath it any reference at all to what is underſtood by *taxes*: for it was moſt certainly, an exemption from the payment of *quit-rents*, to the Crown for the lands they occupied, for the term of ſeven years, and which is commonly granted to the firſt ſettlers in every new Colony. That it could not mean an exemption from Parliamentary taxation is very plain from your own arguments, becauſe you aſſert, that the Parliament always had the power of impoſing taxes upon the Colonies; and conſequently, if the Parliament always had ſuch power, the King could have no right to promiſe by Charter, that the Parliament ſhould not tax them for ſeven years.—And

as to the Charter of Pennſylvania, in which you ſay, "there is a clauſe admitting, in expreſs terms, taxation by Parliament," it was never underſtood to mean, what you ſuppoſe, a power of impoſing internal taxes for the purpoſe of raiſing a revenue, but merely the laying on of ſuch duties, as might be neceſſary for the regulation only of trade; and which appears evident from this plain fact; no ſuch taxation was ever impoſed upon the Colonies, till the fatal impoſition by the Stamp-Act; and which was then univerſally complained of by the Colonies, as an innovation and a grievous infringement of their *chartered*, as well as *their inherent* rights. Beſides, Sir, it is inconceivable, that, if Parliament did always poſſeſs a right of taxing the Colonies, and thought the exerciſe of it conſiſtent with the Engliſh Conſtitution, it ſhould not, for the length of an hundred and fifty years, or more, lay one ſingle tax upon them, but permit them to tax themſelves by their own repreſentatives in their own Aſſemblies.—You ſay next in your Addreſs to the Colonies, "that a few years ago, you were aſſaulted by enemies whom you were not able to reſiſt: you repreſented this to your Mother-Country, and deſired her aſſiſtance. You was largely aſſiſted; and by that means wholly delivered from all your enemies. After a time, your Mother Country, deſiring to be reimburſed for ſome part of the large expence, ſhe had been at, laid a ſmall tax (which ſhe had always a right to do) upon one of her Colonies."—But, Sir, did not your conſcience fly in your face when you wrote this? For certainly ſo groſs a miſrepreſentation of facts was never

aſſerted by any miniſterial mercenary tool before, in this nation. The late War, Sir, was not undertaken, as you aſſert, for their ſakes and on their accounts; but in defence of the people in the new plantation of Nova Scotia, who are unconcerned in the preſent diſpute; and yet, it is well known to the whole nation, and will be acknowledged by every one, who hath any regard to truth, that the Coloniſts exerted themſelves in that war, and aſſiſted their Mother Country in it to a degree ſo much beyond what might have been expected from them, or what they could afford to do, that the *King and Parliament*, at the concluſion of the war, judged it right and reaſonable *to make them large reimburſements*, as a *kind of recompence or reward for their extraordinary ſervices*. This is a fact, Sir, which you know to be true, and cannot deny; and yet you have ſo much diſ-ingenuity, and ſo little regard for veracity, as to repreſent the matter in a manner the very reverſe; and aſſert, that the Mother Country laid a ſmall tax upon one of the Colonies to reimburſe herſelf for ſome part of the large expence, ſhe had been at on their account in that war. Can you imagine, Sir, that ſuch a groſs miſrepreſentation of facts will tend to perſuade the Colonies to believe you? Will they not conclude, Sir, that ſome bribe or other from the Miniſtry hath prevailed upon you to ſet their conduct in ſo untrue a light, and to do them injuſtice? The impoſing taxes upon the Colonies is not the way to benefit the Mother Country; for it is well known, that the advantages, which accrued to this Kingdom from monopolizing all the trade of our American Colonies, were infinitely

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ſuperior to any internal taxations, which a Britiſh Parliament could poſſibly impoſe upon them, had it a right to do ſo; for they brought in and ſecured to us an immenſe revenue. Mr. Pitt, now Lord Chatham, ſpeaking on this point in the Houſe of Commons, thus expreſſed himſelf; "when I had the honour of ſerving his Majeſty, I availed myſelf of the means of information, which I derived from my office, *I ſpeak therefore from knowledge.* My materials are good. I was at pains to collect, to digeſt, to conſider them; and I will be bold to affirm, that the profit of Great Britain from the trade of the Colonies, through all its branches, is Two MILLIONS a year. This is the fund, that carried you triumphantly through the laſt war. The eſtates, that were rented at two thouſand pounds a year, ſixty years ago, are at three thouſand pounds a year at preſent. Thoſe eſtates ſold then from fifteen to eighteen years purchaſe; the ſame may be ſold now for thirty. *You owe this to America. This is the price America pays you for her protection.*" But this immenſe revenue to the Britiſh Crown hath been loſt by Parliament's aſſuming a right of impoſing taxes upon the Colonies without their conſent, and contrary to the ſpirit of the Engliſh Conſtitution. Thus the nation hath loſt a great and glorious ſubſtance, by graſping at a trifling inglorious ſhadow. If the people of America did not forfeit the rights of Engliſhmen by croſſing the Atlantic, they certainly ought not to be taxed without their own conſents, given by their repreſentatives; and nothing can be more clear than that they are not repreſented in a Britiſh Parliament.

ment. Should the people of America be taxed without having, or the poſſibility of having any choice of the perſons, who laid the taxes upon them, they would no longer be the ſubjects, but the ſlaves of Government. For they are truly ſlaves, whoſe property may be taken from them without their conſents, and at the pleaſure of other people. But our excellent conſtitution hath united the right of taxation with, and rendered it inſeparable from the right of repreſentation. And could any pretence whatever juſtify the ſeparation of theſe rights with a *part* of the Britiſh ſubjects, the ſame would hold equally good to the *whole*. But theſe rights are ſo eſſential to our conſtitution, that the *legiſlature itſelf* hath not, nor is veſted with, a power to annul, or undermine them, but is bound to regulate the laws it frames in conformity to them. The legiſlative power of this kingdom is circumſcribed by, and limited to the conſtitution of it; and it certainly hath no more right to make laws for depriving the people of their properties, than for taking away the privileges of the Peers, or the conſtitutional prerogatives of the Crown. —Having gone through all the argumentative part of your Addreſs to the Americans, totally borrowed from Johnſon's pamphlet, we now come to the perſuaſive and declamatory part of it; and which you begin, by aſking the Americans, "how it was poſſible, that the taking a reaſonable and legal ſtep of laying a ſmall tax upon them, ſhould have ſet all America in a flame? And then ſay, I will tell you my opinion freely. My opinion is this, we have a few men in England, who are determined enemies to Monarchy; whether they

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hate his preſent Majeſty on any other ground, than becauſe he is a King, I know not; but they cordially hate his office, and have for ſome years paſt been undermining it with all diligence, in hopes of erecting their grand Idol, their dear Commonwealth, upon its ruins. I believe they have let very few into their deſign: and you are made the dupes of men, who owe you no good will, and employ you only for their own purpoſes. I make no doubt, but theſe very men are the original cauſe of the preſent breach between England and her Colonies." This opinion of your's, Mr. Weſley, is a very extraordinary one, and the more ſo, as it not only contradicts facts, well known to the whole nation, but your own ſentiments alſo, which you publiſhed in the year 1770, called *Free Thoughts on Public Affairs*. It contradicts notorious facts, becauſe the *Pennſylvanian Farmer*, in his excellent letter to the people of America, ſays, "It hath been ſaid in Great Britain, that Lord Chatham, Lord Camden, and ſome other great men have taught the Colonies to deſpiſe her authority. But it is as little true, as the multitude of invectives vented againſt the Colonies. The conſtant practice in theſe publications, is to confound facts, and dates, and then to *rail*. It ſhould be remembered, that *the oppoſition in America to the Stamp Act was fully formed, and the Congreſs held at New York, before it was known on the Continent, that our cauſe was eſpouſed by any* man of note at home." And it contradicts your own ſentiments given in your *Free Thoughts on Public Affairs*, wherein you expreſsly ſay, "I do not defend the meaſures taken with regard to America, I doubt whether

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any man can defend them, either on the *foot of law, equity, or prudence.*" And it is well known, that you, not long ago, expreſſed yourſelf *very warmly* in different companies, and upon different occaſions, in *favour of the Americans*, affirming, "that they were, in your opinion, an *oppreſſed, injured people*, and that if *they ſubmitted to taxation by our Parliament*, they muſt be either *fools or knaves*; and that they would then *be enſlaved*; and if they were enſlaved, *Ireland would follow next, and then England.*" Now, Mr. Weſley, notwithſtanding your publication of your ſentiments, and your frequent declarations of them in various companies, concerning the American diſpute, you will have it, that the oppoſition to the meaſures of the Miniſtry, reſpecting America, is entirely owing to theſe wicked men, theſe *King-haters*, with whom you appear to be very intimate, for though, you ſay, they have let but *very few* into the ſecret, it ſeems, you are one of that *choſen few*. But, Sir, what are we to think, what will the Americans think, of your *preſent opinion*, ſo wholly contradictory to *your former*? Muſt we not, will they not be very apt to conclude, you have, for ſome private advantage or other, been gained over by the Miniſtry, and that you have bartered a fair reputation, and a good conſcience for a bribe? However, Sir, your preſent opinion is ſo ill founded, and ſo far from being juſt, it will do very little harm, as moſt people will deſpiſe it: for though you ſay, our Monarchy is endangered by the wicked practices of men, who are of Republican principles, and King-haters, every ſenſible perſon in this nation well knows, that

the very reverſe is true, and that the rights and liberties of the people are in the utmoſt danger, of being deſtroyed by Tories and Jacobites, who, by the principles they profeſs and induſtriouſly inculcate, and by the arbitrary ſteps and meaſures they have taken, and continue to take, give the ſtrongeſt grounds for ſuppoſing, they have an intention, of changing the free conſtitution of this kingdom into a deſpotic Government. Of this, the people in America are thoroughly convinced; for they have ſeverely experienced the fatal effects of their tyrannical and unconſtitutional proceedings. Can you imagine, Sir, that the fallacious declamation in your Addreſs, in aſſuring them, "that they have the happineſs of living under the moſt deſirable form of Government in the world; that they enjoy all the bleſſings of liberty they can reaſonably wiſh for; and that every man may ſit, without reſtraint, under his own vine," can impoſe upon their underſtandings and deprive them of their feelings; can heal the wounds they ſmart under, or make them forget the lives of their countrymen, that have been loſt, by the cruel and bloody meaſures of a moſt arbitrary Miniſtry? No, Sir, your Addreſs does certainly expoſe yourſelf, but cannot deceive the Colonies.

The Americans, Sir, are a wiſe and brave people: they are wiſe in knowing the value of freedom; and they are brave in defending it with their blood. They will immediately perceive, that all your arguments were taken from the Miniſter's penſioned advocate, Dr. Johnſon; and that all your perſuaſions and profeſſions of love and friendſhip for them, are falſe and

 infidious,

inſidious, and only to ſeduce them into a ſtate of ſlavery. They will therefore deſpiſe you, as a writer, for your groſs plagiariſm, and deteſt you, as a man, for your canting hypocriſy.

—Having gone through the argumentative and declamatory parts of your political performance, I muſt not, Sir, omit taking proper notice of an extraordinary aſſertion you have made towards the end of it; an aſſertion, Sir, which you have doubtleſs made with a view of depreciating and throwing a diſgrace upon the inherent power of the people of England. You aſſert, Sir, "that you know but *one inſtance* in all Hiſtory, wherein *the people gave the Sovereign power to any one*, and that was to *Maſſaniello* of Naples. And you defy any man living, to produce another inſtance in the Hiſtory of all nations." I accept your challenge. And though the people of England did, at the happy Revolution, moſt certainly transfer the Sovereign power of this kingdom, from King James, to our glorious deliverer from popery and ſlavery, King William, yet I will not bring that as an inſtance againſt you; but ſhall produce ſeveral inſtances of a people's giving the Sovereign power, and making Kings, from an hiſtory, which you certainly muſt have read, and that is the *Hiſtory of the Jews*, as recited in the Bible.—I ſhall give you chapter and verſe for the inſtances I bring, that you may ſee, I tranſcribe them truly. The firſt inſtance is, "Kings, book the firſt, ch. xii." On the death of King Solomon, his ſon, Rehoboam ſucceeded to the Crown. At the beginning of his reign, all the people of Iſrael came to him, and ſaid, "v. 4, Thy

Thy father made our yoke grievous; now therefore, make thou the grievous ſervice of thy father, and his heavy yoke, he put upon us, *lighter*, and we will ſerve thee." But Rehoboam, conſulting with, and following the advice of ſuch evil counſellors, as may, with great propriety and ſimilitude, be compared to our preſent Miniſtry, rejected the prayers of his people, and refuſed to lighten their greivances: upon which, all the people of Iſrael, except the Tribe of Judah, revolted from him, and v. 20, "*gave the Sovereign power to Jeroboam, and made him their King.*" And we further read, that when Rehoboam was preparing an army to compel the people, whom he called *Rebels*, to return to their obedience, the Prophet Shemaiah, was ſent from God to him, and the Tribe that remained with him, forbidding them to go up and fight againſt their brethren, for what they had done, *came from him.* This paſſage of holy writ, affords a very uſeful and inſtructive leſſon to both Prince and people; for it proves, that it is the duty of all Kings to liſten to the petitions of their people, and to redreſs their grievances: and it inſtructs the people, that whenever they ſhall be ſo unhappy as to have a King, that ſhall refuſe to liſten to their prayers, and to redreſs their grievances, it is in the ſight of the Almighty, a ſufficient reaſon for their reſiſtance to him, and alſo to give his crown to another. —The next inſtance is, the 2d Book of Kings, ch. iii. v. 20, "In his days, Edom revolted from under the hand of Judah, and *made a King of themſelves.*" Another inſtance, is ch. xxi. v. 24. "and the people of the land ſlew all them, that had conſpired againſt King

Amon, and *the people of the land made Josiah King.*" There are many other inſtances in the Hiſtory of the Jews, of the people's giving the Sovereign power, and making Kings; but theſe are fully ſufficient to convince you, Mr. Weſley, how vain your defiance is, and how eaſily you are confuted out of that very book, you ought to have by heart.

Having now totally done with you, and your Addreſs, I ſhall enter a little more fully into the conſideration of the queſtion, whether the Parliament of Great Britain hath a right to tax the American Colonies?

In order to determine this queſtion, we muſt conſider firſt the nature of taxation; ſecondly, in whom the right of impoſing taxes reſides; and thirdly, from whence that right ariſes. Taxation is the giving or granting the property of the people, for the ſervice of the ſtate, either by themſelves, or by perſons, authoriſed, and entruſted with a power from them, to give it. From whence it follows, that the right of impoſing taxes reſides originally in the people, and then, in their repreſentatives; and that the right of the repreſentative body to impoſe taxes, ariſes from the delegation of the people. It is a fundamental principle in the Engliſh conſtitution, and was, till the reign of Henry the VIth, the invariable practice of it, that the property of the people, no one perſon excepted, could not be granted away, but with his own conſent, given by himſelf or by his repreſentative, choſen by himſelf. Upon this principle, it was the cuſtom, till that reign, for every man in the kingdom, who choſe it, to give his vote for the election of a repreſentative in Parliament.

ment. Upon complaint being made of this right having been diſturbed, a ſtatute, in the ſeventh of Henry the IVth, ordains, " that *all the people ſhould elect indifferently.*" Their being reſidents in the county is the *only qualification required.* It was not till the eighth year of Henry the VIth, that the poſſeſſion of forty ſhillings a year, in any part of the kingdom, was made neceſſary to give a right of voting; and which qualification was in the tenth year of the ſame reign, reſtricted to freehold in the county. From hence, incontrovertably appears, that by the conſtitution of this kingdom, the ſupreme power hath no right to grant away the property of any Engliſhman without his conſent, given by his repreſentative in Parliament. That every freeman in the kingdom had, originally, a right of being preſent in the Great Council, when any grants were made, appears plainly upon record long before the conqueſt. Lord Coke quotes a record ſo far back, as the reign of Canute, in the year 1030, wherein the Parliament is ſaid to have conſiſted, not only of great men, but,—quamplurimis gregariis militibus, ac cum populi multitudine copioſa, ac omnibus adhuc in eodem Parliamento *perſonaliter* exiſtantibus, votis Regis *unanimiter conſentientibus*, præceptum et directum fuit. And the ſame recognition of the right of aſſent in every individual, to the diſpoſal of his property we find thus declared in Magna Charta; " and for this our gift and grant of theſe liberties, and of other, contained in our charter of liberties of our Foreſt, the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and *other our ſubjects*, have given

given unto us the fifteenth part of all their moveables. It was not the ſupreme power, whether you mean by that, the King, or the Parliament, or both together aſſembled, as it is now conſtituted, but the *people themſelves, that gave their own money*, every one having a right to be preſent, and conſent to the grant or diſpoſal of his own property. Upon the ſame principle, the King, in the ſtatute de tallagio non concedendo, declares, " that no tallage or aid ſhall be taken or levied by us, or our heirs, in our realm, without the goodwill and aſſent of the Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and *other Freemen of the land.*" And the more clearly to ſhew, how neceſſary the conſent of every individual was deemed to the gifts, which affected his property, the ſame ſtatute ſays, " no officer of ours, or of our heirs, ſhall take Corn, Leather, Cattle, or any other goods *of any manner of Perſon, without the goodwill and aſſent of the party to whom the goods belong.*" This was originally, and for many ages, the conſtant cuſtom of granting money: but in the courſe and length of time, the people's acting by deputation, which was adopted for convenience only at firſt, became a ſettled practice. Still, however, no freeman of whatever denomination, was denied the right of voting for him, who was to ſignify his aſſent, or be his repreſentative in parliament, till the reign of Henry the VIth, when that right was reſtricted to perſons, having a freehold in the county of forty ſhillings a year. But, according to the principles of Mr. Locke, it may be well queſtioned, whether the Parliament had any juſt right to take away from their

their conſtituents ſo eſſential a privilege. From this alteration, however, two kinds of repreſentation in Parliament were introduced; *real* and *virtual*. They who retained the right of electing, were *really* repreſented; and the reſt of the people, being ſhielded and ſecured in their properties, by the electors and the elected, bearing their proportion in the grants made, were *virtually* repreſented. From hence, it is very manifeſt, that all the people of Great Britain are repreſented in the Houſe of Commons; and accordingly, when that Houſe votes any ſupplies to the Crown, the Commons of Great Britain are ſaid to give and grant them; and the King thanks his good people for their benevolence: for the Lords are not permitted to originate, or even to alter or amend any money-bill. Is it therefore poſſible, that any perſon can, conſiſtent with common ſenſe, deduce the poſſeſſion of this right of giving and granting the people's money by the Houſe of Commons, from any other origin, than that of their repreſenting them? And is not this a convincing proof, that by the principles and conſtant practice of the conſtitution of England, *taxation and repreſentation are inſeparable*; and that it is not the *free eſtates*, but *thoſe*, whom the people elect to repreſent them, that grant all money to the Crown, and impoſe all taxes for raiſing it. From hence, it is very clear and certain, that the people's property could not be given away but by their own conſent. Whether that conſent was ſignified in perſon, or by repreſentation, was a matter of convenience only. The act of Henry the VIth, which preſcribed a qualification for electors,

electors, regulated the exercise, but did not abolish, the right of the people; for there is the greatest and most manifest difference, between regulating the mode of exercising a right, and establishing a principle, which entirely annihilates it.

Having plainly proved, that it hath been the constant principle and invariable practice of our constitution, that no taxes should be imposed upon the people, residing in the nation, without their own consent, we shall now proceed to shew, that the subjects of the British Crown, residing in any distinct, and foreign parts of this Empire, have never been deprived of the rights and privileges of the English constitution, but have constantly enjoyed that great right, which constitutes freedom, the right of giving their own money, and imposing their own taxes, either by themselves, or by their representatives in their own Parliaments.—And first, we shall prove, that the people of Ireland have always enjoyed that right. In the tenth year of Edward the Ist, this Prince, being under a necessity of demanding supplies, applied to his subjects in Ireland, *distinctly*, to solicit a loan to enable him to carry on the war against Wales. Unsettled as the state of Ireland then was, the right of granting their own property was considered as so essential to an English subject, that the application was not made to the Parliament at Westminster, but to the people themselves, whose money was to be given.

When the same Prince was again in distress, he applied first, to the Clergy of Ireland, for an additional fifteenth of the spiritualities; and they peremptorily refused

refuſed to comply with the requiſition. The King reſpected the right of refuſing, though the refuſal itſelf was ſo grievous a diſappointment to him; he neither called in the abſolute power of his Engliſh Parliament, nor of his army, to enforce the requiſition; but applied to the laity of Ireland, from whom he received more ſatisfaction. Dr. Leland tells us, that after ſome altercation and delay, they granted him a fifteenth of their effects. Thus this magnanimous Prince, well ſatisfied, that *it was the inherent right of an Engliſh ſubject*, not to have his property taken from him but by his own conſent, given by himſelf, or by his repreſentative, choſen by himſelf, whether the ſubject was in England, or Ireland, he applied to him, or to his repreſentative, for the ſupplies which were to ariſe out of his property.

We find the inſeparable union of repreſentation and taxation ſtill more irrefragably proved in the reign of Edward the IIId. I ſhall ſtate the tranſaction in the words of Dr. Leland; it is deciſive. "The Parliament of England grew uneaſy under the burthen of ſupporting the King's Iriſh dominions: they remonſtrated; they ſolicited, that ſtrict enquiry ſhould be made into the deficiencies of the Royal revenues in this realm. The King was no leſs impatient to find any part of the ſupplies, deſtined to his military ſervice, diverted to a purpoſe which he deemed of much leſs moment, the ſupport of a diſordered government in Ireland. An agent, called Nicholas Dagworth, was diſpatched into this country: his inſtructions were to repreſent the neceſſities of the Crown,

and the grievous deficiencies of the Iriſh revenue: to convince the King's Miniſters of the neceſſity of exerting themſelves for the intereſt of their Royal maſter. It was particularly directed that an Iriſh Parliament ſhould be covened without delay, for the purpoſe of granting ſuch a liberal ſubſidy, as ſhould provide not only for the exigencies of their own ſtate, but for the aſſiſtance of their Sovereign in his foreign wars. The Parliament was aſſembled; *they pleaded the poverty of the realm, and refuſed the ſupplies.* Edward was provoked: he iſſued his writ of ſummons, both to the clergy and laity. The Biſhops were commanded to chuſe two laymen in each county, to repreſent the Lords and Commons in that county; the Cities and Boroughs, in like manner, each to elect two citizens and Burgeſſes. The Aſſembly was directed to repair to the King in England, to treat, conſult, and agree with him, and his council, as well on the government of the land of Ireland, as the aid and ſupport of the King's war." The following anſwers of the Archbiſhop of Armagh, and of the county of Dublin to this ſummons are diſtinctly recorded. "We are not bound, ſaid the prelate, agreable to the liberties, privileges, rights, laws and cuſtoms of the church and land of Ireland, to elect any of our Clergy, and to ſend them to any part of England, for the purpoſe of holding Parliaments or councils in England; yet on account of our reverence to our Lord the King of England, and the now imminent neceſſity of the land aforeſaid, ſaving to us, and to the Lords and Commons of the ſaid land, all rights, privileges, liberties,

laws

laws and cuſtoms before mentioned, we have elected repreſentatives to repair to the King in England, to treat and conſult with him and his council; except, however, that we do by no means grant to our ſaid repreſentatives any power of aſſenting to any burdens, or ſubſidies to be impoſed on us, or our Clergy, to which we cannot yield, by reaſon of our poverty and daily expence in defending the land againſt the Iriſh enemy.—In like manner, the county of Dublin at firſt elected their repreſentatives, without power or authority to conſent to the impoſition of any burdens. The King complained of the election, as inſufficient, and irregular, and the Sheriff was directed to make another return, in preſence of the Treaſurer and Chief Juſtice of the King's Bench. Difficulties were ſtarted, and delays contrived; at length the Nobles and Commons, unanimouſly, and with one voice, declare, that according to the rights, privileges, liberties, laws and cuſtoms of the land of Ireland, enjoyed from the time of the conqueſt of the ſaid land, they are not bound to ſend any perſons from the land of Ireland to the Parliament or Council of our Lord the King, in England, to treat, conſult, or agree with our Lord the King, in England, as the writ requires. Notwithſtanding, on account of their reverence, and the neceſſity and preſent diſtreſs of the ſaid land, they have elected repreſentatives to repair to the King, and to treat, and conſult with him and his Council, *reſerving to themſelves the power of yeilding or agreeing to any ſubſidies.* At the ſame time, proteſting, that their preſent compliance is not hereafter to be taken in prejudice to the rights, privileges, laws and cuſtoms, which the Lords, and Commons, from the time of the

conqueſt of the land of Ireland, have enjoyed."—The clear and manifeſt concluſion from this record is, that to give and grant the property of Engliſh ſubjects, in an aſſembly wherein they were not preſent in perſon, or by repreſentation, was deemed ſo unconſtitutional, that no neceſſity could juſtify it. The Parliament at Weſtminſter, did not conſider this doctrine as repugnant to their rights, or trenching upon their authority. This record is alſo a proof, that the ſole right of giving was ſo inherent in the owner of property, that the people at large might delegate it in whole or in part; might reſtrain it entirely, or reſerve to themſelves the controul of conſenting to the grant of their repreſentatives, to give it final efficacy. The words of the writ are, "Archiepiſcopis, Epiſcopis, vicecomitibus, ſeneſcallis, majoribus, ſuperioribus, et præpoſitis, ac *omnibus aliis ejuſdem terræ quorum intereſt*, ad electionem hujuſmodi duarum perſonarum, in Angliam in forma prædicta tranſmittendarum, faciendam."—Having fully proved that the people of Ireland have always enjoyed the right of giving their own money, and impoſing their own taxes, we ſhall next enquire, whether the ſubjects of the Britiſh Crown, reſiding in America, have always been in poſſeſſion of the ſame right, and whether there is any reaſon whatſoever to be given, why they ſhould not enjoy it, as well as the people of Ireland. It is impoſſible to find a caſe more exactly ſimilar to the ſubjects of Ireland, than that of the people in our American Colonies. Both countries were conquered, and peopled by Engliſh ſubjects; there are, however, ſome differences, in favour of the

Americans

Americans. In the former, the conquered people were, in ſome meaſure, intermixed with the Engliſh; in the latter, they were, and ſtill continue totally diſtinct. The Engliſh ſubjects, who ſettled in Ireland, carried with them their rights, not expreſſed but latent; whereas thoſe of the American ſettlers were confirmed by Charters. Theſe Charters did not give, but confirm their rights; which were inherent in, and unalienable from the perſons of Britiſh ſubjects. Allegiance, and protection in theſe rights, are a mutual compact between the Prince and the people, as emigration does not diſſolve allegiance, neither can it diveſt rights: they involve each other, and are inſeparable. Another difference in favour of the Americans is, that taxes were levied in England to defend and protect the Engliſh ſubjects in Ireland for ſome time after its ſettlement; whereas all the old Colonies in America were ſettled, and the wars carried on with the natives, ſolely at the expence of the ſettlers themſelves; their Mother Country bearing none of the burthen, but reaping infinite benefits from the ſettlements. Canada, Florida, and Nova Scotia are exceptions to this, but they were acquiſitions, obtained from France and Spain. The ſupreme power of a Britiſh Parliament hath never yet aſſerted a right of impoſing taxes upon the people of Ireland; and no man living can ſhew a reaſon, why the people in America ſhould be taxed by it, any more than they. The Americans have for an hundred and fifty years enjoyed the right, inherent in all Engliſh ſubjects, of taxing themſelves by their own repreſentatives; and hath not the Crown conſtantly,

tantly applied to thoſe repreſentatives for any ſupplies, that were wanting? Can there be a ſtronger proof of their right to tax themſelves, than the Crown and Parliament's conſenting thereto for ſuch a number of years? If ſuch right had not been conſiſtent with the conſtitution of England, and eſſential to the free ſtate of Engliſh ſubjects, it is impoſſible to conceive, that the Parliament of England would have ſuffered the Americans, from their earlieſt infancy, to the year 1764, to have choſen repreſentatives of their own and taxed themſelves. Will any man ſay, that Engliſh ſubjects can, according to the conſtitution of England, be taxed by two different Parliaments at the ſame time; by one, wherein they are repreſented, and by another, wherein they are not? Such a double method of taxation is moſt certainly contrary to and ſubverſive of the conſtitution of this kingdom; and conſequently we do affirm, that a Britiſh Parliament can have no rightful power to impoſe taxes upon the Americans; becauſe the legiſlative power of Great Britain, conſiſting of King, Lords and Commons, is not, as ſome people aſſert, an *unbounded power*, but is limited to, and circumſcribed by the conſtitution of this country. Engliſhmen are to be governed by the fixed and permanent laws, on which their conſtitution is built; not by the mutable, and uncertain ſenſe and opinions of the Miniſters of the Crown; and thoſe conſtitutional laws are fully and clearly expreſſed in the great Charter of their liberties; which hath been ratified and confirmed, forty times in full Parliament. The laws of this land may therefore be truly ſaid to be the great and

inviſible

inviſible Sovereign, or Lord Paramount, of this kingdom; and to whom, the three eſtates, King, Lords, and Commons, may be called ſubjects, as they are all bound by their oaths to obey him. Thoſe ſubjects therefore, who ſtand up in defence of their Grand Sovereign, the Laws, can never, with any colour of reaſon and truth, be called Rebels; though they, who attempt to ſubvert his throne, may. That reſiſtance, which is abſolutely neceſſary for defending the fundamental laws of the land, cannot be a Rebellion. The people of England did, at the happy Revolution, ſtand up in defence of their laws, and reſiſted the tyrannical attempt of King James to deſtroy them, and for ſuch miſrule (or Rebellion, if you pleaſe) they took the Crown of theſe kingdoms from him, and gave it to the Prince of Orange; and in conſequence of their conſtitutional reſiſtance, the ſucceſſion to the Britiſh Throne was ſettled upon the Houſe of Hanover.—Upon the whole, it appears, That the legiſlative power of Great Britain, veſted in King, Lords and Commons, is not an unbounded power, but is limited to, and circumſcribed by the conſtitution of the kingdom, and the fundamental laws thereof; and therefore cannot have a right to make any ſuch laws, as ſhall ſubvert the conſtitution, and enſlave the ſubjects of the Crown in any part of its dominions—That no Engliſhman can be taxed but by his own conſent, given by his repreſentative in Parliament—That the people of Ireland have, from the conqueſt of that kingdom, to the preſent time, enjoyed the ſame right of taxing themſelves by their own repreſentatives in their own Parliaments—That the people

people in our American Colonies are juſtly entitled to enjoy all the rights and privileges of Engliſhmen, and conſequently ought not to be taxed in a Britiſh Parliament, wherein they are not repreſented—That the Americans did enjoy the right of taxing themſelves in their own aſſemblies, uninterrupted and unqueſtioned, from their firſt ſettlement in America to the year 1764—That all Engliſh ſubjects have a right to reſiſt any attempt, to ſubvert and ſet aſide their laws, rights and conſtitution; and that it is their undoubted duty to do ſo—That the people of England did, at the happy Revolution, reſiſt the tyrannical attempt of King James to ſubvert and deſtroy their laws, rights, and liberties—And that in conſequence of their reſiſtance, his Majeſty owes the Crown, he now wears—And therefore, we may ſurely conclude, that *any* ſuch RESISTANCE *is no* REBELLION.

APPENDIX.

APPENDIX.

IT is very common for many moderate and well-meaning perſons in England, to ſay reſpecting the preſent diſpute with our colonies, Why ſhould not the people in America be taxed as well as we? And they aſk this queſtion under a miſtaken notion, that the Americans are free from taxes; when in truth, they are taxed, and very heavily too. To inform and convince all ſuch perſons, that the people in America bear a weighty burthen of taxes, we ſhall mention ſome of them, paid by the people in the province of Maſſachuſetts-Bay, or New-England.

The provincial taxes of Maſſachuſetts-Bay conſiſt of three different kinds; Exciſe, Impoſt, and Rates. By the exciſe, the following duties are to be paid. Upon every gallon of brandy, rum, and other ſpirits diſtilled, two ſhillings. Upon wine of all ſorts, two ſhillings a gallon. Upon every hundred of lemons and oranges, twenty ſhillings. Upon limes eight ſhillings a hundred. A penalty for retailing liquors without licence, twelve pounds. The impoſt payable, upon wines from the Weſtern iſlands, is upon a pipe four pounds; Madeira and other ſorts, five pounds; rum, a hogſhead, four pounds; ſugar, a hogſhead, two ſhillings; molaſſes, ſixteen-pence; tobacco, two pounds;

logwood a ton, three ſhillings; and all other goods four-pence for every twenty ſhillings value. All foreign goods imported from other places, than thoſe of their growth and produce, to pay double impoſt. The fee to the impoſt officer for every ſingle entry, is two ſhillings. Rates, are taxes upon polls, and eſtates: Polls, are all white men of ſixteen years of age and upwards: Eſtates are real, perſonal, and faculty, or the income ariſing from their trade and buſineſs. Thus every man of ſixteen years of age pays a tax upon his poll, and all real and perſonal eſtate is taxed, as well as the trade and occupation of every perſon according to the income of it. All negroes, Indian and Molatta ſlaves are taxed as other perſonal eſtate; an ox of four years old and upwards is taxed at eight pounds; a cow of three years old and upwards at ſix pounds; a horſe or mare of three years old upwards at eight pounds; a ſwine of one year old and upwards at thirty-two ſhillings; a ſheep or goat of one year old at twelve ſhillings; and there are a multitude of other goods and things taxed, which it is needleſs to enumerate, as theſe are a ſufficient number to ſhew, that the people in our American colonies are taxed, and heavily too. It is a doubt with me, whether the people in our American colonies are not higher taxed in proportion to their properties, than the people of Great-Britain are in proportion to theirs. It would be intereſting and ſerviceable, if a tolerable calculation could be made of this matter; and we ſhall endeavour to do it. And for which end, it will be neceſſary for us to make a fair and reaſonable gueſs or conjecture of the wealth

and

property of the people of Great-Britain, in reſpect to the wealth and property of the people in our American colonies. The wealth and property of the people in Great Britain may, we apprehend, be reaſonably eſtimated to be, at leaſt, forty times as much as the wealth and property of the people in our American Colonies. This being admitted; we ſhall then take the known public debt of Great Britain, and the known public debt of the American Colonies; and by comparing the public debt of each country to its proportion of riches and property, we ſhall be able to make a tolerable conjecture, which of the two is moſt burthened with taxes. The public debt of Great Britain is known to be about one hundred and thirty millions ſterling; and the public debt of the American Colonies is known to be about ſix millions ſterling: Then, as the property of Great Britain is forty times as much as that of the American Colonies, we muſt multiply the public debt of the Colonies, which is ſix millions, by forty, and then we ſhall find, it makes the ſum of two hundred and forty millions. From hence it appears, that if the people of Great Britain were burthened with taxes in proportion to their property, as much as the people in America are to their property, the national debt of Great Britain would be *two hundred and forty millions.* But what is ſtill more in diſfavour of the Colonies, the public debt of Great Britain is in times of peace annually decreaſing, whilſt the public debt of the Colonies is annually increaſing; and from this apparent reaſon; becauſe all their trade is reſtrained to their Mother Country, and the balance of it is againſt

them. But we cannot give our readers greater ſatisfaction on this matter, or ſhew them more clearly the taxes, and other hardſhips, which the American Colonies labour under, than by making an extract from an excellent pamphlet, publiſhed not long ſince by J. Almon, in Piccadilly, entitled, *An Appeal to the Juſtice and Intereſts of the People of Great Britain.*

" We are told, ſays the Author, that the Americans pay no taxes, while ours are very heavy; and that as they equally enjoy protection, they ought to contribute their proportion to the expence.

But the queſtion is not *whether* the Americans ſhall contribute, but *how* they ſhall contribute? Whether they ſhall be taxed by their own repreſentatives or by ours? They contributed during the war, but it was by their own aſſemblies; the proof of this is from the records of the Houſe of Commons itſelf. The following is a copy of a meſſage from his Majeſty to the Houſe of Commons, repeated for four ſeſſions.

" *Die Jovis* 26° *Aprilis, anno* 32° *Georgii Secundi Regis*, 1759.

" *George Rex.*

" HIS Majeſty being ſenſible of the active zeal and vigour with which his faithful ſubjects of North America, have exerted themſelves, in defence of his Majeſty's juſt rights and poſſeſſions, recommends it to this Houſe to take the ſame into conſideration, and to enable his Majeſty to give them a proper compenſation for the expences incurred by the reſpective provinces, in

in the levying, cloathing, and pay of the troops raiſed by the ſame, according as the active vigour and ſtrenuous efforts of the reſpective Provinces ſhall juſtly appear to merit.

G. R."

This was in the good days of George the Second. There was no Junto, no back ſtair buſineſs then; a Whig King, and Whig Miniſter, ſpeaking to a Whig people. A King who did not *profeſs* that he had no intereſt diſtinct from that of his people, but made them read it in his actions: A King who had too much dignity to deceive his people; too much honour to contrive the ruin of their liberties. The ſyſtem then was to *aſk* the aid of the people; the ſyſtem now is, to *command* it. The Americans, we ſee, contributed then with zeal and vigour; the event will ſhew whether the new ſyſtem is calculated to inflame their zeal, and encreaſe their ardour. Let us however remember, in the mean time, what credit thoſe miniſterial tools deſerve, who have ſo confidently affirmed that the Americans did not contribute to the expences of the late war.

With equal truth it is ſaid, that the Americans pay no taxes. I will give an eſtimate of the taxes, both internal and external, paid by the Colony of Virginia, with the income and expence of the Colony, and the balance will ſhew their ability to bear additional impoſitions.

EXPENCE.

EXPENCE.

	£.
Quit rents —— ——	10,000
Impoſt on tobacco ——	5,000
Tonnage on ſhipping — —	5,000*
Britiſh manufactures, one third of which, according to the Britiſh writers, ariſes from various taxes —— ——	800,000
Poll tax, land tax, wheel tax, &c.	100,000
From tobacco being reſtricted to the ports of Great Britain	100,000
Commiſſion on the ſale of the tobacco — —	120,000

GROSS PRODUCE.

	£.
From tobacco —— ——	660,000
Lumber, corn, grain and proviſion —— —— ——	300,000
Total	960,000

* Theſe three ſums, amounting to 20,000l. together with the quit rents in the other North American Colonies, and the duty of 4½ *per cent.* on all the produce of the Weſt India Iſlands, except Jamaica, amounting annually, at the loweſt computation, to 100,000l. are paid to the Crown, and never accounted for to Parliament. Before any farther aid can with propriety be aſked of our American brethren, ſhould we not ſhew them that this 100,000l. is really applied to the exigencies of the ſtate.

It

It appears from this eſtimate, that a ninth part of the groſs produce of the Colony is paid for internal taxes—that as much is ſacrificed to the acts of navigation, which reſtrict their trade to this country for our benefit—that a ſum, almoſt equal to the whole, is expended in Britiſh manufactures and merchandize, which leaves the Colony in debt, annually, 180,000l. The vaſt profits which the Britiſh merchants make upon this commerce, enable them to afford this credit; which, when it riſes to an extreme, is reduced by greater frugality in the planter, or by an extraordinarily favourable year increaſing the quantity, quality, or price of his produce, and conſequently the groſs income of the Colony.

The public will judge, from this ſituation of one of the richeſt Colonies, of the ability of America to bear additional taxes. Were the right of impoſing them even ſo unqueſtionable, the impropriety of it would be manifeſt. A young people, loaded with an enormous debt of ſix millions, with the balance of trade annually againſt them, ariſing entirely from the reſtrictions we impoſe upon their trade, are not fit objects of additional taxation. Were theſe circumſtances reverſed, there would be ſome propriety in applying to them for relief from the load of our national debt and eſtabliſhment: but as it is, were they ever ſo little inclined to queſtion your right, or to reſiſt the impoſition of taxes, the conſequence of impoſing them would be ruinous: the inhabitants finding it impoſſible to live in ſuch circumſtances, would retire back in troops, as our own are now emigrating from Great Britain and Ireland. Re-

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mote from the ſea coaſt, they would live entirely within themſelves, relinquiſhing all commerce with the Mother-Country, and bidding defiance equally to the merchant for his debt, and the Crown for its taxes. Theſe meaſures being prompted by neceſſity would be irreſiſtible: they would leave us a depopulated frontier to tyrannize over; and for this you would have ſacrificed a valuable growing commerce, with all the ſtrength and aid which we have received from the active zeal and vigorous efforts of an affectionate, induſtrious, loyal people. Were I an enemy to Great Britain, I would promote this very ſyſtem, to humble, to overthrow her. Nothing operates like neceſſity: no human wiſdom or virtue can produce equal effects. Perſevere in theſe meaſures, and you will create that neceſſity, which will effect the independence of America beyond the operation of policy or perſuaſion.

How then are we to avert theſe evils? How are we to regain the confidence of America, and the commerce of Great Britain? Nothing more eaſy. Recall your fleets and armies; recall your commiſſioners; repeal your uſeleſs, your obnoxious laws; reſtore the eſtabliſhment of America to what it was at the concluſion of the late war; ceaſe to hold out rewards, as if in the public Gazette, for fraud and impoſition. The Barnards, the Hutchinſons, the Olivers, will without end make ſuch credulity the ruinous inſtruments of their revenge, avarice and ambition. Such men never want the ſpecious pretext of loyalty, in order to cover their intereſted views.

But

But it will be ſaid, that to retract would be to reſign our authority over our Colonies. What—had we no authority over America till the year 1764, when theſe meaſures commenced? Was no revenue collected, no acts of Parliament obeyed, no ſupreme power exerciſed or acknowledged till the Stamp-Act? Was that act founded upon any complaint of this kind?

The fact is ſo far the reverſe, that the revenue officers remitted more money home before than ſince that act; the laws of trade were much better obeyed; nor was our ſupreme controuling power queſtioned or oppoſed. If theſe poſitions are not true, let thoſe who adviſe theſe American meaſures produce, if they can, any authentic evidence to refute them. I will refer to ſome of thoſe laws, which, in our ſovereignty, we made for America, and which, in their reluctance to diſpute with us, they obeyed. In the reſtriction of their trade and munufactures, the exerciſe of our power was wantonly oppreſſive; yet until we paſſed that line, and attempted to take their money from them without their conſent, that is, to make them the moſt abject ſlaves, we hear of no petitions, remonſtrances, and aſſociations againſt our acts. In proof of what I have ſaid, I will recite ſome of the moſt grievous exertions of our ſupreme authority to which they ſubmitted.

Firſt, The prohibition from making ſteel, or erecting ſteel furnaces. This was the more ſevere, as it ſacrificed all America to five or ſix perſons in England, engaged in this manufacture, who are ſo far from being able to ſupply the market, that conſiderable quantities are yearly imported from Germany.

Secondly, Obliging them to land the Spaniſh and Portugal wines and fruit, which they import, in England, ſubject to high duties and heavy charges for reſhipping. This reſtriction not only grievouſly enhances the price of theſe neceſſary articles, but expoſes their veſſels to the danger and expence of an additional voyage of 1000 miles, in a boiſterous ſea, in time of peace; and in time of war, to an advanced inſurance of 25 *per cent.*

Thirdly, The reſtraint laid on the ſale of hats, and the prohibition of exporting them. In conſequence of this, an inhabitant of one province cannot buy a hat from his neighbour, being a hatter, in the other; but muſt ſend 3000 miles for it, at three times the price, for the benefit of our manufactures. Is this no ſacrifice on the part of America? No advantage on ours?

Fourthly, They are not ſuffered to erect plating or ſlitting mills, or tilt hammers. Thus though iron is the produce of their own country, they muſt ſend it to England, and pay us for manufacturing it, before they are ſuffered to avail themſelves of thoſe advantages which God has given them. Nails, hoes, ploughs, axes, &c. they are under the greateſt neceſſity of uſing, from the nature of their country, in great quantities; yet they are obliged to take ſuch as we pleaſe to give them, at our own price, loaded with our taxes, and the charges of double freight, commiſſions, &c.

Fifthly, They are prohibited from carrying wool, or any kind of woollen goods made in one colony, to another.

another. A ſingle fleece of wool, or a dozen of home-made hoſe, carried from one colony to another, is not only forfeited, but ſubjects the veſſel, if conveyed by water, or the waggon and horſes, if by land, to a ſeizure, and the owner to a heavy fine.

Sixthly, The Americans are not permitted to carry logwood to any foreign market, without previouſly bringing it to ſome Britiſh port, to land and re-ſhip it, at a great riſque, expence, and loſs of time.

I will not trouble the reader with more inſtances, though there are many. Theſe are amply ſufficient to ſhew what authority we had over them, and how rigorouſly we exerciſed it—how much to our own advantage, and to their loſs. When we have deſtroyed the Americans, or diſſolved, by our injuſtice and extortion, their connection with us, where is it we ſhall find another people whom we may thus make the inſtruments of our manufactures and commerce? Where is it we can ſecure a monopoly of the groſs article, and of its conſumption when manufactured? It is plain, from theſe very reſtrictions, that America is capable of manufacturing for herſelf; there is no doubt but that a little time would enable her to ſupply other nations. The deſiſting from this, confining themſelves to the culture of raw materials, and conſuming our manufactures, loaded with every charge, tax, and impoſition, is the price they paid for the protection we gave them. We exacted it rigorouſly, yet they paid it willingly; ſevere as the reſtraints were, they flouriſhed under them, and therefore did not complain: but when we aſſumed a greater power; when, not content with

reſtraining their acquiſitions, we began to take from them, at our pleaſure, what they acquired under thoſe reſtraints; this was a ſyſtem of ſuch glaring injuſtice that they could not ſubmit to it: It was a ſyſtem that left them nothing they could call their own. What incitement could any man in America have to be induſtrious, or acquire property, when a Houſe of Commons, diſtant, unknown to him, unconnected with him, unelected by him, not ſharing in the tax they impoſed, or rather ſaving their own as they laviſhed his property, might diſpoſe of it as they pleaſed, without his conſent or participation, or thoſe of any one deputed by him? Nor were we content with this, we ſubjected all their property to the judgment of a ſingle Judge of Admiralty, without the intervention of a jury; a Judge appointed by the King, ſubſiſting at his pleaſure, yet determining between the King and the ſubject, and payable out of the forfeitures which his judgment againſt the ſubject ſhould produce. It is not in human wickedneſs and injuſtice to deviſe more infallible means of perverting juſtice, and rendering property inſecure. And that this moſt arbitrary meaſure, might be executed in the moſt odious manner, thoſe men were appointed to theſe offices who had ſignalized themſelves, not by their abilities and virtue, but by being infamous ſticklers againſt their country. Let us contemplate for a moment the effect of this eſtabliſhment of Vice-Admiralty Courts. The law gives the Cuſtom-houſe officer the option of carrying his ſeizure into any one of the four Courts appointed for all America. The officer makes his ſeizure in Penſacola, and libels

libels in the Court at Halifax, which is more than two thouſand miles diſtant; the owner muſt be at the expence of going thither, muſt ſubmit his property to the arbitration of ſuch a Judge; and whether the deciſion be for or againſt him, he can have no retribution for his expences, or for the delay, or for the damage his cargo may have received. The law has made the Judge's certificate a protection for the Officer againſt an action of damages.

It ſeemed, however, that the oppreſſion of America was not yet ſufficiently ſevere; all their Judges were therefore rendered dependent upon the Crown for their ſalaries and their places. The lives and liberties, as well as the property of the people, were to be at the mercy of the Crown. To make the ſyſtem compleat, their Governors were rendered as abſolute as Spaniſh Viceroys; in fine, to convince them that they were doomed to experience the laſt exertion of arbitrary power, a military force was ſent to execute this ſyſtem.

After all theſe injuries and inſults, we are ſurprized that the Americans ſhould be diſcontented! We think it extraordinary that they ſhould deſtroy the tea ſent on purpoſe to compel the payment of a duty ſo impoſed! It is an injury to private property: But who offered the firſt injury to private property? Who was it that claimed and exerciſed a right to diſpoſe of all the property in America at their pleaſure? The Britiſh, not the American Houſe of Commons. A ſet of men aſſembled at Weſtminſter, who have juſt as much right to diſpoſe of property in America, as the Divan at Con-

Conſtantinople has in England. This was the firſt interruption of that harmony which ſubſiſted between the two countries; a harmony under which the commerce and manufactures of this country ſo eminently proſpered. The Americans were not the aggreſſors: They received the news of the intended Stamp-Act with aſtoniſhment; it was ſome time before they could believe it poſſible, that a Parliament, which they regarded with reſpect, could be guilty of ſuch an outrage againſt their rights; that a Houſe of Commons, who exiſted only by the election of the people of England, who would not ſuffer any other branch of the legiſlature to touch the property of the people, becauſe they only are deputed by them, ſhould ſeriouſly reſolve that it might be juſt and expedient for them to give and grant the property of the people of America. One reads, to this moment, ſuch a reſolution with a mixture of aſtoniſhment and ridicule. Had they reſolved that it would be juſt and proper for that Houſe to turn all the white people in America into blacks, it would not have been more ridiculous. For God's ſake, whence did they derive the right of giving the property of the people of America? Did that people ever delegate to them ſuch a right? Can ſuch a right exiſt without the delegation of the community to whom the property belongs? Yet from this abſurd reſolution we proceeded to acts which have alienated and inflamed all America. Are the Americans to blame for all this? Are they culpable for the conſequences? Are we to put fire in a man's hand, and puniſh him for expreſſing a ſenſe of pain, and endeavouring to reject it. Are the Americans diveſted

of

of the feelings of humanity? If they are not, the things which are calculated to rouze and irritate thoſe feelings, muſt have their effects. In theſe circumſtances, the tea was deſtroyed at Boſton by perſons unknown. Without enquiring after the guilty, without evidence, without a hearing (their Agent refuſed a hearing, upon a quibble which would have diſgraced the Old Bailey) we proceed to puniſh the town of Boſton, to a thouſand times the amount of the damage ſuſtained. But this was not enough; in violation of the royal faith, we alter their charter, without any act of forfeiture even pretended. Their juries, who were choſen by lot, and therefore, as far as human precaution could effect, were rendered impartial, we have directed to be returned by the Sheriff, who is a creature of the Governor's appointment; and thus a way is found out to have the lives, liberties, and property of the people at the mercy of the Crown, under the form of law, by pack'd Juries as well as dependent Judges. Theſe are the meaſures which are to calm the commotions of America, and reſtore the harmony we have interrupted. Yet after all theſe proceedings, calculated to exaſperate and inflame the Americans, and to convince them that we have neither juſtice nor wiſdom to guide us, the men who have been inſtrumental in all this are gravely told, that the "temper and firmneſs with which they have acted, will enſure ſucceſs;" and that a bill for eſtabliſhing popery and arbitrary government in America "is founded upon the cleareſt principles of humanity and juſtice." On any other occaſion, one would have been tempted to think this was ſaid to ridicule

dicule them; let it have been meant as it will, ſuch praiſe is the ſevereſt ſatire.

Spirit of the Steuarts, look down and wonder! This ſingle tranſaction will put all your merits to the bluſh!

Every ſtep we have taken reſpecting America, for ten years paſt, has been repugnant to the practice of our anceſtors. It was their policy to conciliate the people, and ſecure their commerce to Great Britain. Our ſyſtem has been to alienate and irritate them. We have made it a public virtue in America to diſcontinue all commerce with us, and to encourage ſmuggling; we ſhall attempt, perhaps too late, to return to the wiſdom of former times. If there were any defects in the American conſtitutions, we have not taken the proper ſteps to rectify them. "Time only, and long experience," ſays Sully, "can bring remedies to the defects in a ſtate whoſe form is already determined; and this ought always to be attempted, with a view to the plan of its original conſtitution: This is ſo certain, that whenever we ſee a ſtate conducted by meaſures contrary to thoſe made uſe of in its foundation, we may be aſſured a great revolution is at hand."*

The American conſtitutions were modelled upon that of England. We have began the reformation: but the taxing the people without their being repreſented—the depriving them of all influence in the government—the abolition of Juries in part, and rendering the reſt liable to be pack'd by the Crown officers—the making their Judges dependent, and their Gover-

* Memoirs Vol. II.

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nors abſolute—the impowering Cuſtom-Houſe Officers, at their pleaſure, to break open a man's doors, cabinets, cheſts, &c. rendering his houſe no longer his caſtle of protection—theſe are the reformations we have attempted in America. They are indeed with a view to the original conſtitution, but manifeſtly with a view to overturn it. The event will ſhew whether Sully's conſequence will follow, whether a great revolution will enſue. In my judgment it will be inevitable, unleſs the intervention of the people at large, who in every view are intereſted to prevent it, ſhould exert thoſe powers which they have in the ſtate, and prevail on Parliament to retract all thoſe obnoxious, unconſtitutional meaſures, and reſtore America to that ſtate in which they were at the end of the war."

F I N I S.